

**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BILLITTERI v. SECURITIES AMERICA,
INC., *et al.* (*Provident Royalties Litigation*)

: 3:09-cv-01568-F
: AND RELATED CASES

THIS DOCUMENT RELATES TO:
ALL ACTIONS

C. RICHARD TOOMEY, *et al.* v.
SECURITIES AMERICA, INC., *et al.*

: 3:10-cv-01833-F

IN RE: MEDICAL CAPITAL SECURITIES
LITIGATION

: Case No. ML 10-2145 DOC (RNBx)
: (C.D. Cal.)

THIS DOCUMENT RELATES TO:
McCoy, SACV09-1084 DOC (RNBx) (C.D.
Cal.)

: Limited transfer for settlement
: purposes as Case No. 3-11-cv-00191-
: F (N.D. Tex.)

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT WITH SECURITIES AMERICA, INC.,
SECURITIES AMERICA FINANCIAL CORPORATION AND
AMERIPRISE FINANCIAL, INC.**

On May 5, 2011, the Court entered an order granting preliminary approval of the proposed class action settlement with Defendants Securities America, Inc., Securities America Financial Corporation (SAFC), and Ameriprise Financial, Inc. Representative plaintiffs Joseph Billitteri, the Sharon Kreindel Revocable Trust DTD 02/09/2005, Henry Mitchell, Alvin Sabroff and June Sabroff now move under Federal Rule of Civil Procedure 23(e) for final approval of the settlement. The proposed settlement is fair, reasonable and adequate and merits final approval. Plaintiffs request that the Court enter an order (1) certifying the Settlement Classes for settlement purposes; (2) appointing Girard Gibbs LLP and Zwerling, Schachter & Zwerling, LLP as Settlement Class Counsel; (3) finding that the notice to Settlement Class Members complied with Rule 23 and due process; (4) determining that the terms of the settlement are fair, reasonable and adequate; (5) approving the plan of allocation of the Settlement Fund as fair and reasonable; (6) directing the parties to consummate the settlement according to its terms; and (7) dismissing the claims against Securities America, SAFC and Ameriprise with prejudice and barring and permanently enjoining Settlement Class Members from prosecuting Settled Claims.

Dated: June 14, 2011

Respectfully submitted,

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